

**RESOLUTION IN OPPOSITION OF
SENATE BILL 313 of 2013**

WHEREAS, Senate Bill No. 313 would amend the Housing Law of Michigan

WHEREAS, it remains in the best interest of the public for health and safety reasons that local units of government require rental dwelling registration and inspections,

WHEREAS, proposed changes under Senate Bill 313 would place an undue financial burden upon local units of government to fund rental registration and inspection services,

WHEREAS, Senate Bill 313 would compromise public health and safety through time restrictions placed upon multifamily property first time inspections,

WHEREAS, Senate Bill 313 would prohibit local inspectors from the performance of their job duties and due diligence of ensuring that structures are sound and no blight or safety conditions exist through the limitation of inspection entry,

WHEREAS, additional burdens placed upon the obtaining of permission to inspect properties from each lessee instead of the property owner would be time consuming as well as costly to the municipality and pose a potential risk to the public health, safety and welfare,

NOW THEREFORE; the Mayor and Council of the City of Roseville oppose Senate Bill 313 to amend the Michigan Housing Law as introduced

YORK, DOLAN & TOMLINSON, P.C.

Attorneys and Counselors at law
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Clinton Township, Michigan 48038
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Timothy D. Tomlinson (ttomlinson@yorkdolanlaw.com)

Fred A. York (1930-1989)

September 19, 2013

**CONFIDENTIAL
SUBJECT TO ATTORNEY/CLIENT PRIVILEGE
NOT FOR DISCLOSURE TO THIRD PARTIES**

Mr. Scott Adkins
City Manger
City of Roseville
P.O. Box 290
Roseville, Michigan 48066

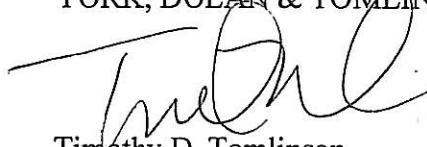
RE: Metro Act Permit Application - Great Lakes, Inc.

Dear Mr. Adkins:

I have reviewed the proposed Metro Act Permit Application forms submitted by Great Lakes, Inc., and I have no objections to same. Should you have any questions, or wish to discuss this matter further, please do not hesitate to contact me. We remain,

Very truly yours,

YORK, DOLAN & TOMLINSON, P.C.



Timothy D. Tomlinson

TDT/jabh

COPY

METRO Act Permit Application Form
Revised April 6, 2012

City of Roseville
Name of Local Unit of Government

APPLICATION FOR
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY
TELECOMMUNICATIONS PROVIDERS
UNDER
METROPOLITAN EXTENSION TELECOMMUNICATIONS
RIGHTS-OF-WAY OVERSIGHT ACT
2002 PA 48
MCL SECTIONS 484.3101 TO 484.3120

BY

Great Lakes Comnet, Inc.
("APPLICANT")

Unfamiliar with METRO Act?--Assistance: Municipalities unfamiliar with Michigan Metropolitan Extension Telecommunications Rights-of-Way Oversight Act ("METRO Act") permits for telecommunications providers should seek assistance, such as by contacting the Telecommunications Division of the Michigan Public Service Commission at 517-241-6200 or via its web site at http://www.michigan.gov/mpsc/0,4639,7-159-16372_22707---,00.html.

45 Days to Act—Fines for Failure to Act: The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3). The Michigan Public Service Commission can impose fines of up to \$40,000 per day for violations of the METRO Act. It has imposed fines under the Michigan Telecommunications Act where it found providers or municipalities violated the statute.

Where to File: Applicants should file copies as follows [municipalities should adapt as appropriate—unless otherwise specified service should be as follows]:

Three (3) copies (one of which shall be marked and designated as the master copy) with the City Manager, at 29777 Gratiot Ave. Roseville MI, 48066

City of Roseville
Name of local unit of government

**APPLICATION FOR
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY
TELECOMMUNICATIONS PROVIDERS**

By
Great Lakes Comnet, Inc.
("APPLICANT")

This is an application pursuant to Sections 5 and 6 of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, 2002 PA 48 (the "METRO Act") for access to and ongoing usage of the public right-of-way, including public roadways, highways, streets, alleys, easements, and waterways ("Public Ways") in the Municipality for a telecommunications system. The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3).

This application must be accompanied by a one-time application fee of \$500, unless the applicant is exempt from this requirement under Section 5(3) of the METRO Act, MCL 484.3105(3).

1 GENERAL INFORMATION:

1.1 Date: September 12, 2013

1.2 Applicant's legal name: Great Lakes Comnet, Inc.
Mailing Address: 1515 Turf Lane, Suite 100
Suite 100
East Lansing, MI 48823

Telephone Number: (517) 664-1600
Fax Number: (517) 324-8900
Corporate website: <http://www.comlink.net>

Name and title of Applicant's local manager (and if different) contact person
regarding this application: Nate Duffield
Mailing Address: 1515 Turf Lane
Suite 100
East Lansing, MI 48823
Telephone Number: (517) 679-5072
Fax Number: (517) 324-8900
E-mail Address: nduffield@comlink.net

1.3 Type of Entity: (Check one of the following)

- ☒ Corporation
☐ General Partnership
☐ Limited Partnership
☐ Limited Liability Company
☐ Individual
☐ Other, please describe: _____

1.4 Assumed name for doing business, if any: N/A _____

1.5 Description of Entity:

- 1.5.1 Jurisdiction of incorporation/formation; Michigan
1.5.2 Date of incorporation/formation; 8/5/1996
1.5.3 If a subsidiary, name of ultimate parent company; N/A
1.5.4 Chairperson, President/CEO, Secretary and Treasurer (and equivalent officials for non-corporate entities).

Chairman of the Board, Randy Fletcher
President/CEO, Paul Bowman
Secretary, Janet Beilfuss
Treasurer, Les Jenkins

1.6 Attach copies of Applicant's most recent annual report (with state ID number) filed with the Michigan Department of Licensing and Regulatory Affairs and certificate of good standing with the State of Michigan. For entities in existence for less than one year and for non-corporate entities, provide equivalent information. See attachment A

1.7 Is Applicant aware of any present or potential conflicts of interest between Applicant and Municipality? If yes, describe: No

1.8 In the past three (3) years, has Applicant had a permit to install telecommunications facilities in the public right of way revoked by any Michigan municipality?

Circle: Yes No

If "yes," please describe the circumstances.

1.9 In the past three (3) years, has an adverse finding been made or an adverse final action been taken by any Michigan court or administrative body against Applicant under any law or regulation related to the following:

1.9.1 A felony; or

1.9.2 A revocation or suspension of any authorization (including cable franchises) to provide telecommunications or video programming services?

Circle: *Yes* *No*

If "yes," please attach a full description of the parties and matters involved, including an identification of the court or administrative body and any proceedings (by dates and file numbers, if applicable), and the disposition of such proceedings.

1.10 [If Applicant has been granted and currently holds a license to provide basic local exchange service, no financial information needs to be supplied.] If publicly held, provide Applicant's most recent financial statements. If financial statements of a parent company of Applicant (or other affiliate of Applicant) are provided in lieu of those of Applicant, please explain. Great Lakes Comnet, Inc. is licensed to provide basic local exchange service. See attachment B

1.10.1 If privately held, and if Municipality requests the information within 10 days of the date of this Application, the Applicant and the Municipality should make arrangements for the Municipality to review the financial statements.

If no financial statements are provided, please explain and provide particulars.

Per Section 1 (1.10), Great Lakes Comnet, Inc. holds a license to provide basic local exchange service.

2 DESCRIPTION OF PROJECT:

2.1 Provide a copy of authorizations, if applicable, Applicant holds to provide telecommunications services in Municipality. If no authorizations are applicable, please explain. No additional applications are applicable as Great Lakes Comnet, Inc. has endorsement from the Michigan Department of Consumer and Industry Services, Attachment A and holds a license to provide basic local exchange service with the Michigan Public Service Commission, Attachment B.

2.2 Describe in plain English how Municipality should describe to the public the telecommunications services to be provided by Applicant and the telecommunications facilities to be installed by Applicant in the Public Ways. Two way telecommunication for the transmission of data and internet.

2.3 Attach route maps showing the location (including whether overhead or underground) of Applicant's existing and proposed facilities in the public right-of-way. To the extent known, please identify the side of the street on which the facilities will be located. (If construction approval is sought at this time, provide engineering drawings, if available, showing location and depth, if applicable, of facilities to be installed in the public right-of-way). See attachment C.

2.4 Please provide an anticipated or actual construction schedule. Anticipated completion for the project is December 2014

2.5 Please list all organizations and entities which will have any ownership interest in the facilities proposed to be installed in the Public Ways. Great Lakes Comnet, Inc.

2.6 Who will be responsible for maintaining the facilities Applicant places in the Public Ways and how are they to be promptly contacted? If Applicant's facilities are to be installed on or in existing facilities in the Public Ways of existing public utilities or incumbent telecommunications providers, describe the facilities to be used, and provide verification of their consent to such usage by Applicant. Great Lakes Comnet

3 TELECOMMUNICATION PROVIDER ADMINISTRATIVE MATTERS:

Please provide the following or attach an appropriate exhibit.

3.1 Address of Applicant's nearest local office; 1515 Turf Lane, Suite 100, East
Lansing, MI 48823

3.2 Location of all records and engineering drawings, if not at local office; N/A

3.3 Names, titles, addresses, e-mail addresses and telephone numbers of contact person(s) for Applicant's engineer or engineers and their responsibilities for the telecommunications system; Aaron Bowie, OSP Manager, Great Lakes Comnet, 1515 Turf Lane Suite 100, East Lansing, MI 48823 Ph# 517-664-1600, Fax# 517-324-8900, abowie@comlink.net.

3.4 Provide evidence of self-insurance or a certificate of insurance showing Applicant's insurance coverage, carrier and limits of liability for the following:

3.4.1 Worker's compensation;

3.4.2 Commercial general liability, including at least:

3.4.2.1 Combined overall limits;

3.4.2.2 Combined single limit for each occurrence of bodily injury;

3.4.2.3 Personal injury;

3.4.2.4 Property damage;

3.4.2.5 Blanket contractual liability for written contracts, products, and completed operations;

3.4.2.6 Independent contractor liability;

3.4.2.7 For any non-aerial installations, coverage for property damage from perils of explosives, collapse, or damage to underground utilities (known as XCU coverage);

3.4.2.8 Environmental contamination;

3.4.3 Automobile liability covering all owned, hired, and non-owned vehicles used by Applicant, its employee, or agents.

3.5 Names of all anticipated contractors and subcontractors involved in the construction, maintenance and operation of Applicant's facilities in the Public Ways.
Great Lakes Comnet.

4 **CERTIFICATION:**

All the statements made in the application and attached exhibits are true and correct to the best of my knowledge and belief.

Great Lakes Comnet, Inc.

A handwritten signature in cursive script, appearing to read "Nate Duffield", is written over a horizontal line.

By: Nate Duffield
Its: Internal Project Manager
Date: 09/12/13

